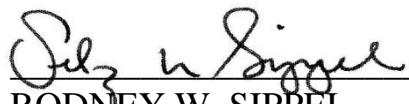


MIKE HOLLOWAY,)
)
Plaintiff,)
)
vs.) Case No. 4:19 CV 320 RWS
)
UNION PACIFIC RAILROAD)
CO.,)
)
Defendant.)

This matter is before the Court on defendant’s motion to dismiss. Defendant contends that plaintiff’s claim is time barred. In opposition to dismissal, plaintiff argues that “the pattern and practice [of disability discrimination] to which [plaintiff] refers is the subject of a class action” in Nebraska and that the “purported class therefore includes Holloway.” [Doc. 19 at 3]. It appearing that the class in *Harris v. Union Pac. R.R. Co.*, Case No. 8: 16 CV 831, 2019 WL 460388, at *8-*9 (D. Neb. Feb. 5, 2019), has been certified, and given plaintiff’s allegation that he is a member of the *Harris* class,

IT IS HEREBY ORDERED that plaintiff shall show cause in writing within five days of the date of this Memorandum and Order why this action should not either be dismissed or transferred to the District of Nebraska due to plaintiff's allegation that he is a class member in the case styled *Harris v.*

Union Pac. R.R. Co., Case No. 8: 16 CV 831, 2019 WL 460388, at *8-*9 (D. Neb. Feb. 5, 2019). Failure to file a timely response will result in this case being dismissed without prejudice without further notice by the Court.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 24th day of April, 2019.